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9 *Attorneys for Plaintiffs*

10 **IN THE DISTRICT COURT
11 FOR THE NORTHERN MARIANA ISLANDS**

12 **ÖZCAN GENÇ, HASAN GÖKÇE, and) Case No. 1:20-CV-00031**
13 **SÜLEYMAN KÖŞ, on behalf of themselves)**
14 **and all others similarly situated,)**
15 **Plaintiffs,) MOTION TO APPROVE COMPROMISE**
16 **vs.) SETTLEMENT OF FLSA JUDGMENT**
17 **IMPERIAL PACIFIC INTERNATIONAL) AND ACKNOWLEDGEMENT OF**
18 **(CNMI), LLC and IMPERIAL PACIFIC) SATISFACTION OF JUDGMENT**
19 **INTERNATIONAL HOLDINGS LTD.,)**
20 **Defendants.)**
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19 **WHEREAS,**

20 1. On March 16, 2022, the Court entered Judgment on the Fair Labor Standard Act
21 collective action claim in *Genc et al. v. Imperial Pacific International (CNMI), LLC*,
22 Case No. 1:20-cv-00031, in favor of the plaintiffs in that action (the “Genc Plaintiffs”)
23 and against Defendants Imperial Pacific International (CNMI), LLC (“IPI”) and Imperial
24 Pacific International Holdings Ltd. (“Defendants”), in the amount of \$477,935.91, as well
25 as post-judgment interest and attorneys’ fees and costs. ECF No. 57.

- 1 2. As of October 3, 2022, post-judgment interest, calculated at the rate of 1.30 percent – the
2 weekly average 1-year constant maturity (nominal) Treasury yield at the time the
3 judgment entered – is \$3,421.50.
- 4 3. On June 14, 2022, the Genc Plaintiffs moved to participate in the limited receivership
5 previously established by the Court in *USA Fanter Corporation Inc. v. Imperial Pacific*
6 *International (CNMI), LLC*, Case No. 1:20-cv-00003 (the “Limited Receivership”). ECF
7 No. 64. The Court granted that motion on August 16, 2022. ECF No. 67.
- 8 4. The Genc Plaintiffs and Defendants have agreed to compromise the amount of principal
9 and interest due to Plaintiffs under the Judgment for a total sum of \$450,000.00.
- 10 5. The settlement amount fully compensates Plaintiffs for unpaid wages and liquidated
11 damages, which totaled \$312,288.91, and compromises only punitive damages.
- 12 6. The Genc Plaintiffs and Defendants have agreed to resolve the Genc Plaintiffs’
13 forthcoming petition for attorneys’ fees and costs for a total sum of \$30,000.
- 14 7. On October 5, 2022, Defendant tendered to counsel for the Genc Plaintiffs the sum of
15 \$480,000.00 cash, comprising the full amount of the compromise settlement and agreed
16 attorneys’ fees and costs. These funds will held in Genc Plaintiffs’ counsel’s client trust
17 account until they are ordered disbursed by the Court.

20 **THEREFORE,**

21 The Genc Plaintiffs respectfully request that the Court approve the settlement amount of
22 \$450,000.00, plus \$30,000 in attorneys’ fees and costs. Provided that the Court approves this
23 compromise settlement, Genc Plaintiffs shall acknowledge full satisfaction of the Judgment,
24 including all interest and attorney’s fees and costs, and suggest that satisfaction of the FLSA
25 Judgment be entered on the docket.

Respectfully submitted this 5th day of October, 2022.

BANES HOREY BERMAN & MILLER, LLC

/s/
Richard C. Miller